



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

Hearing Program

Docket No. 488

Thursday, July 23, 2020

2:00 p.m.

Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer.

B. Motions

1. Applicants' Motion for Protective Order for Phase I Environmental Site Assessment, dated July 16, 2020
2. Spectacle Ridge Association, Inc. (SRA) Request for Intervenor and CEPA Intervenor Status, dated July 16, 2020
3. South Spectacle Lakeside Residents (Lakeside) Request for Intervenor and CEPA Intervenor Status, dated July 16, 2020
4. Applicants' Motion to Strike R. Bruce Hunter, MAI Pre-Filed Testimony submitted by Intervenor Bald Hill Road Neighbors, dated July 20, 2020

C. Administrative Notice taken by Council

**FEDERAL**

1. FEDERAL COMMUNICATIONS COMMISSION, OFFICE OF ENGINEERING AND TECHNOLOGY, *Questions and Answers About Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields, OET Bulletin No. 56, August 1999, available at [https://transition.fcc.gov/Bureaus/Engineering\\_Technology/Documents/bulletins/oet56/oet56e4.pdf](https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet56/oet56e4.pdf)*
2. FEDERAL COMMUNICATIONS COMMISSION, OFFICE OF ENGINEERING AND TECHNOLOGY, *Evaluating Compliance with FCC-Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, OET Bulletin No. 65, August 1997, available at [https://transition.fcc.gov/Bureaus/Engineering\\_Technology/Documents/bulletins/oet65/oet65.pdf](https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf)*
3. FEDERAL COMMUNICATIONS COMMISSION, *Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation Report and Order, August 1, 1996, available at [https://transition.fcc.gov/Bureaus/Engineering\\_Technology/Orders/1996/fcc96326.pdf](https://transition.fcc.gov/Bureaus/Engineering_Technology/Orders/1996/fcc96326.pdf)*
4. Telecommunications Act of 1996, as amended, Pub. L. No. 104-104, 110 Stat. 56 (codified as amended in scattered sections of 47 U.S.C), *available at <https://transition.fcc.gov/Reports/tcom1996.pdf>*

5. FEDERAL COMMUNICATIONS COMMISSION, *Warning, Alert and Response Network Act*, Pub. L. No. 109-437, 120 Stat. 1936 (2006), (codified at 47 U.S.C. §332(d)(1)) (2006), available at <https://transition.fcc.gov/pshs/docs/emergency-information/cmas-warn-act.pdf>
6. Wireless Communications and Public Safety Act of 1999, as amended, 47 U.S.C. §§ 615-615b, as amended, available at <https://www.congress.gov/bill/106th-congress/house-bill/438/text/ih>.
7. Enhance 911 Act of 2004, as amended, 47 U.S.C. § 942, as amended, available at <https://www.gpo.gov/fdsys/pkg/PLAW-108publ494/pdf/PLAW-108publ494.pdf>
8. Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §6409 Wireless Facilities Deployment 2012, available at <https://www.gpo.gov/fdsys/pkg/PLAW-112publ96/pdf/PLAW-112publ96.pdf>
9. Actions That May Have a Significant Environmental Effect, for Which Environmental Assessments (EAs) Must be Prepared, 47 C.F.R. § 1.1307, as amended, available at <https://www.gpo.gov/fdsys/pkg/CFR-2013-title47-vol1/pdf/CFR-2013-title47-vol1-sec1-1307.pdf>
10. Radiofrequency Radiation Exposure Limits, 47 C.F.R. § 1.1310, as amended, available at <https://www.gpo.gov/fdsys/pkg/CFR-2002-title47-vol1/pdf/CFR-2002-title47-vol1-sec1-1310.pdf>
11. Presidential Proclamation No. 8460, 74 Fed. Reg. 234 (December 8, 2009), available at <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
12. Presidential Order No. 13616, Accelerating Broadband Infrastructure Development, 77 Fed. Reg. 119 (June 14, 2012), available at <http://www.gpo.gov/fdsys/pkg/FR-2012-06-20/pdf/2012-15183.pdf>
13. Presidential Policy Directive No. 21, Critical Infrastructure Security and Resilience, February 12, 2013, available at <https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil>
14. DIVISION OF MIGRATORY BIRD MANAGEMENT, UNITED STATES FISH & WILDLIFE SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR, *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance and Decommissioning*, last updated August 2016, available at <https://www.fws.gov/migratorybirds/pdf/management/usfwscommtowerguidance.pdf>
15. National Park Service, United States Department of the Interior, *National Register of Historic Places* available at <https://www.nps.gov/nr/research/index.htm>
16. FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC No. 70/7460-1L*, December 4, 2015, available at [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/AC\\_70\\_7460-1L\\_.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_.pdf)

17. FEDERAL AVIATION ADMINISTRATION, *Specification for Obstruction Lighting Equipment, Advisory Circular AC No. 150/5345-43J*, March 11, 2019, available at [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/150-5345-43J.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/150-5345-43J.pdf)
18. FEDERAL COMMUNICATIONS COMMISSION, *Opportunities to Reduce Bird Collisions with Communications Towers While Reducing Tower Lighting Costs*, January 6, 2017, available at <https://www.fws.gov/migratorybirds/pdf/management/fccopportunitiestoreducebirdcollisions.pdf>
19. Stephen J. Blumberg, et al, *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July – December 2017*, Division of Health Interview Statistics, National Center for Health Statistics, U.S. Center of Disease Control, June 2018, available at <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201806.pdf>
20. FEDERAL COMMUNICATIONS COMMISSION, *Public Notice – Wireless Telecommunications Bureau Offers Guidance on Interpretation of Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012*, DA 12-2407, January 25, 2013, available at [https://apps.fcc.gov/edocs\\_public/attachmatch/DA-12-2047A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DA-12-2047A1.pdf)
21. FEDERAL COMMUNICATIONS COMMISSION, *Connecting America: The National Broadband Plan*, 2010, available at <http://www.broadband.gov/plan/>
22. FEDERAL COMMUNICATIONS COMMISSION, *Text-to-911: Quick Facts & FAQs*, June 2013, available at <http://www.fcc.gov/guides/text-911-quick-facts-faqs>.
23. FEDERAL COMMUNICATIONS COMMISSION, *Wireless Infrastructure Report and Order*, FCC 14-153, October 21, 2014, available at <http://www.fcc.gov/document/wireless-infrastructure-report-and-order>
24. FEDERAL COMMUNICATIONS COMMISSION, *Second Report and Order*, FCC 18-30, March 30, 2018, available at <https://docs.fcc.gov/public/attachments/FCC-18-30A1.pdf>
25. FEDERAL COMMUNICATIONS COMMISSION, *Third Report and Order and Declaratory Ruling*, FCC 18-111, August 3, 2018, available at <https://docs.fcc.gov/public/attachments/FCC-18-111A1.pdf>
26. FEDERAL COMMUNICATIONS COMMISSION, *Third Report and Order*, FCC 18-133, September 27, 2018, available at <https://docs.fcc.gov/public/attachments/DOC-353962A1.pdf>
27. UNITED STATES DEPARTMENT OF AGRICULTURE, *Soil Survey Manual, Handbook No. 18*, March 2017, available at [https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/ref/?cid=nrcs142p2\\_054262](https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/ref/?cid=nrcs142p2_054262)

## **STATE**

### **Connecticut Siting Council**

28. STATE OF CONNECTICUT SITING COUNCIL, *Statewide Plan for Wireless Telecommunications Coverage*, Revised October 2018, available at [https://www.ct.gov/csc/lib/csc/publications/2018telcomplan\\_final.pdf](https://www.ct.gov/csc/lib/csc/publications/2018telcomplan_final.pdf)
29. STATE OF CONNECTICUT SITING COUNCIL, *Telecommunications Facilities: An Illustrated Primer on the Siting of Facilities Within Connecticut and Throughout the Nation, Version II*, available at [http://www.ct.gov/csc/lib/csc/csc\\_tower\\_3\\_07.pdf](http://www.ct.gov/csc/lib/csc/csc_tower_3_07.pdf)
30. STATE OF CONNECTICUT SITING COUNCIL, *Statewide Telecommunications Coverage Database*, available at <http://www.ct.gov/csc/cwp/view.asp?a=895&Q=248312&cscNav=>
31. **DOCKET NO. 432** – Feasibility study of back-up power requirements for telecommunications towers and antennas pursuant to Public Act 12-148, available at <http://www.ct.gov/csc/cwp/view.asp?a=962&Q=511254&PM=1>

**Department of Energy and Environmental Protection**

32. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION, *Connecticut Guidelines for Soil Erosion and Sediment Control, DEP Bulletin 34*, last revised September 2007, available at [http://www.ct.gov/deep/cwp/view.asp?a=2720&q=325660&depNav\\_GID=1654](http://www.ct.gov/deep/cwp/view.asp?a=2720&q=325660&depNav_GID=1654)
33. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *The Connecticut Stormwater Quality Manual*, 2004 and appendices, available at [http://www.ct.gov/deep/cwp/view.asp?a=2721&q=325704&depNav\\_GID=1654](http://www.ct.gov/deep/cwp/view.asp?a=2721&q=325704&depNav_GID=1654)
34. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF WATER PROTECTION AND LAND REUSE, PLANNING AND STANDARDS DIVISION, *Water Quality Standards*, Effective October 10, 2013, available at <http://www.ct.gov/deep/lib/deep/regulations/22a/22a-426-1through9.pdf>
35. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Air Quality Standards*, Effective April 15, 2014, Regulations of Connecticut State Agencies §§ 22a-174-24, et seq.
36. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Noise Control Regulations*, Effective June 15, 1978, Regulations of Connecticut State Agencies §§22a-69-1, et seq.
37. STATE OF CONNECTICUT, DEPT. OF PUBLIC UTILITY CONTROL, Docket No. 08-06-19, DPUC Investigation into the Deployment of Distributed Antenna System (DAS) in the Public Rights of Way, September 29, 2010.
38. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF NATURAL RESOURCES, Connecticut's Endangered, Threatened and Special Concern Species 2015, August 2015, available at [http://www.ct.gov/deep/lib/deep/wildlife/pdf\\_files/nongame/ETS15.pdf](http://www.ct.gov/deep/lib/deep/wildlife/pdf_files/nongame/ETS15.pdf)

39. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF NATURAL RESOURCES, *Connecticut's Wildlife Action Plan*, 2015 Revision, available at [http://www.ct.gov/deep/cwp/view.asp?a=2723&q=329520&deepNav\\_GID=1719#Review](http://www.ct.gov/deep/cwp/view.asp?a=2723&q=329520&deepNav_GID=1719#Review)
40. PUBLIC UTILITIES REGULATORY AUTHORITY, *Connecticut Public Utilities Cybersecurity Action Plan*, April 6, 2016, available at [http://www.ct.gov/pura/lib/pura/electric/cyber\\_report\\_April\\_6\\_2016.pdf](http://www.ct.gov/pura/lib/pura/electric/cyber_report_April_6_2016.pdf)
41. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF WATER MANAGEMENT, WETLANDS MANAGEMENT SECTION, *Guidelines: Upland Review Area Regulations, Connecticut's Inland Wetlands and Watercourses Act*, June 1997, available at [http://www.ct.gov/deep/lib/deep/water\\_inland/wetlands/upland\\_review\\_document\\_june1997.pdf](http://www.ct.gov/deep/lib/deep/water_inland/wetlands/upland_review_document_june1997.pdf)

**Department of Transportation**

42. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, *ConnDOT Drainage Manual* 2000, last revised December 2003, available at <http://www.ct.gov/dot/cwp/view.asp?a=3200&q=260116>
43. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, *Policy Statement for Telecommunications Installations Within the State Highway Right of Way*, Policy No. E&H.O. – 53, August 7, 2006, available at [http://www.ct.gov/csc/lib/csc/row\\_ps.pdf](http://www.ct.gov/csc/lib/csc/row_ps.pdf)

**Other State Agencies**

44. STATE OF CONNECTICUT OFFICE OF POLICY AND MANAGEMENT, *Conservation and Development Policies Plan for Connecticut 2013-2018*, June 5, 2013, available at [http://www.ct.gov/opm/lib/opm/igp/org/cdupdate/2013-2018\\_cd\\_plan.pdf](http://www.ct.gov/opm/lib/opm/igp/org/cdupdate/2013-2018_cd_plan.pdf)
45. STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH, *Environmental and Occupational Health Assessment, Radiation – Cell Phone Towers – Questions and Answers about Health*, May 2015, available at [http://www.ct.gov/dph/lib/dph/environmental\\_health/eoha/pdf/051115\\_cell\\_phone\\_tower\\_final.pdf](http://www.ct.gov/dph/lib/dph/environmental_health/eoha/pdf/051115_cell_phone_tower_final.pdf)
46. STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH, *Cell Phones – Questions and Answers about Safety*, May 2015, available at [http://www.ct.gov/dph/lib/dph/environmental\\_health/eoha/toxicology\\_risk\\_assessment/050815\\_cell\\_phones\\_final.pdf](http://www.ct.gov/dph/lib/dph/environmental_health/eoha/toxicology_risk_assessment/050815_cell_phones_final.pdf)
47. STATE OF CONNECTICUT, STATE VEGETATION MANAGEMENT TASK FORCE, *Final Report Issued to the Connecticut Department of Energy and Environmental Protection*, August 28, 2012, available at [http://www.ct.gov/deep/lib/deep/forestry/vmtf/final\\_report/svmtf\\_final\\_report.pdf](http://www.ct.gov/deep/lib/deep/forestry/vmtf/final_report/svmtf_final_report.pdf)
48. Final Report of the Two Storm Panel, January 9, 2012, available at [http://www.governor.ct.gov/malloy/lib/malloy/two\\_storm\\_panel\\_final\\_report.pdf](http://www.governor.ct.gov/malloy/lib/malloy/two_storm_panel_final_report.pdf)

49. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION AND DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, *2014 Connecticut Natural Hazard Mitigation Plan Update*, January 2014, available at [http://www.ct.gov/deep/lib/deep/water\\_inland/hazard\\_mitigation/ct\\_nhmp\\_adopted\\_final.pdf](http://www.ct.gov/deep/lib/deep/water_inland/hazard_mitigation/ct_nhmp_adopted_final.pdf)
50. GOVERNOR'S STEERING COMMITTEE ON CLIMATE CHANGE, ADAPTATION SUBCOMMITTEE, *Connecticut Climate Change Preparedness Plan, Adaptation Strategies for Agriculture, Infrastructure, Natural Resources and Public Health Climate Change Vulnerabilities*, 2011, available at [http://www.ct.gov/deep/lib/deep/climatechange/connecticut\\_climate\\_preparedness\\_plan\\_2011.pdf](http://www.ct.gov/deep/lib/deep/climatechange/connecticut_climate_preparedness_plan_2011.pdf)
51. CONNECTICUT DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, *CT Text to 911*, 2018, available at <https://www.text911ct.org/>
52. STATE OF CONNECTICUT, EXECUTIVE ORDER NO. 7B, *Protection of Public Health and Safety During COVID-19 Pandemic and Response – Further Suspension or Modification of Statutes*, March 14, 2020, available at <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7B.pdf>
53. *Manor Development Corp. v. Conservation Comm. of Simsbury*, 180 Conn. 692, 701 (1980).
54. *Grimes v. Conservation Comm. of Litchfield*, 243 Conn. 266, 278 (1997).

#### **TECHNICAL**

55. INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS, *IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz*, IEEE Std. C95.1-2005, November 1, 2009, available at <https://standards.ieee.org/findstds/standard/C95.1-2005.html>
56. TELECOMMUNICATIONS INDUSTRY ASSOCIATION & ELECTRONICS INDUSTRIES ASSOCIATION, *Structural Standards for Steel Antenna Towers and Antenna Supporting Structures*, TIA/EIA-222-G (2006), available at [https://global.ihs.com/search\\_res.cfm?RID=TIA&INPUT\\_DOC\\_NUMBER=TIA-222](https://global.ihs.com/search_res.cfm?RID=TIA&INPUT_DOC_NUMBER=TIA-222)
57. TELECOMMUNICATIONS INDUSTRY ASSOCIATION, *Structural Standards for Antenna Supporting Structures, Antennas and Small Wind Turbine Support Structures*, TIA-222-H, effective January 1, 2018, available at [https://global.ihs.com/search\\_res.cfm?RID=TIA&INPUT\\_DOC\\_NUMBER=TIA-222%20](https://global.ihs.com/search_res.cfm?RID=TIA&INPUT_DOC_NUMBER=TIA-222%20)
58. Letter from John R. Morissette, Manager of Transmission Siting and Permitting, The Connecticut Light and Power Company, to Christopher B. Fisher, Esq., Attorney, Cuddy & Feder, LLP regarding CL&P policy on the installation of cellular and PCS antennas on electric transmission structures, February 19, 2010, available at

[http://www.ct.gov/csc/lib/csc/pendingproceeds/docket\\_388/do388-20100312\\_supplemental\\_submission.pdf](http://www.ct.gov/csc/lib/csc/pendingproceeds/docket_388/do388-20100312_supplemental_submission.pdf)

59. HEALTH PROTECTION AGENCY, *Health Effects From Radiofrequency Magnetic Fields, Report of the Independent Advisory Group on Non-Ionising Radiation*, April 2012, available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/333080/RCE-20\\_Health\\_Effects\\_RF\\_Electromagnetic\\_fields.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/333080/RCE-20_Health_Effects_RF_Electromagnetic_fields.pdf)
60. CISCO SYSTEMS, INC., *Cisco Visual Networking Index: Forecast and Trends, 2017-2022 White Paper*, February 27, 2019, available at, <https://www.cisco.com/c/en/us/solutions/collateral/service-provider/visual-networking-index-vni/white-paper-c11-741490.html>

### **ENVIRONMENTAL**

61. RICHARD M. DEGRAAF & DEBORAH D. RUDIS, *New England Wildlife: Habitat, Natural History, and Distribution*, University of Massachusetts Press 1983, available at <http://www.treesearch.fs.fed.us/pubs/4148>
62. UNITED STATES ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT, *Vernal Pool Best Management Practices*, January 2015, available at <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/VernalPools/VPBMPsJan2015.pdf>
63. Christopher Barton and Karen Kinkead, *Do Erosion Control and Snakes Mesh?*, *Journal of Science and Water Conservation* 2005, Volume 60, Number 2, available at <http://www.treesearch.fs.fed.us/pubs/21050>
64. UNITED STATES ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT, *The Highway Methodology Workbook*, October 1993, available at <http://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwayMethodBook.pdf>
65. UNITED STATES ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT, *The Highway Methodology Workbook Supplement, Wetland Functions and Values*, September 1999, available at <http://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf>
66. UNITED STATES ARMY CORPS OF ENGINEERS, *General Permits for the State of Connecticut & Lands Located Within the Boundaries of an Indian Reservation*, Effective Date August 19, 2016, Expiration Date August 19, 2021, available at: [https://www.nae.usace.army.mil/portals/74/docs/regulatory/StateGeneralPermits/CT/Connecticut\\_General\\_Permits-August\\_2016.pdf](https://www.nae.usace.army.mil/portals/74/docs/regulatory/StateGeneralPermits/CT/Connecticut_General_Permits-August_2016.pdf)
67. [STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, INLAND FISHERIES DIVISION, \*Habitat Conservation and Enhancement Program, Stream\*](#)

[Crossing Guidelines, February 26, 2008, available at  
https://www.ct.gov/deep/lib/deep/fishing/restoration/streamcrossingguidelines.pdf](https://www.ct.gov/deep/lib/deep/fishing/restoration/streamcrossingguidelines.pdf)

## **MAPS**

68. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Natural Diversity Database Map for the Town of Kent*, (last updated December 2019), available at <https://www.depdata.ct.gov/naturalresources/endangeredspecies/nddbpdfs.asp>
  69. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Statewide Aquifer Protection Area Maps*, last updated August 26, 2019, available at <https://portal.ct.gov/DEEP/Aquifer-Protection-and-Groundwater/Aquifer-Protection/Aquifer-Protection-Area-Maps>
  70. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Northern long-eared bat areas of concern in Connecticut to assist with Federal Endangered Species Act Compliance*, last updated February 1, 2016, available at [http://www.ct.gov/deep/lib/deep/endangered\\_species/images/nleb\\_approved2\\_16.pdf](http://www.ct.gov/deep/lib/deep/endangered_species/images/nleb_approved2_16.pdf)
  71. UNIVERSITY OF CONNECTICUT, CONNECTICUT ENVIRONMENTAL CONDITIONS ONLINE, *Connecticut Critical Habitats and Open Space*, last updated November 28, 2012, available at <http://cteco.maps.arcgis.com/home/item.html?id=a1bf59798c5b45a98aeab97dafd60b9>
  72. CONNECTICUT FOREST & PARK ASSOCIATION, CONNECTICUT WALK BOOK 20<sup>TH</sup> ED. 2017, available at <http://www.ctwoodlands.org/connecticut-walk-book-20th-edition>
  73. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <http://netapp.audubon.org/iba/state/US-CT>
  74. Mail-A-Map Street Map, (Kent), available at <http://mailamap.com/street-maps>
  75. UNITED STATES GEOLOGICAL SURVEY, Connecticut Topographic Map Collection (Kent Quadrangle 1971), available at [http://magic.lib.uconn.edu/topographic\\_maps.html](http://magic.lib.uconn.edu/topographic_maps.html)
  76. United States Department of the Interior, National Park Service, *Interactive National Heritage Areas Map*, available at <https://www.nps.gov/maps/full.html?mapId=01a03739-ab0c-40eb-bc3d-6791d3bb67fa>
- D. State Agency comments
1. State of Connecticut Council of Environmental Quality Comments, dated April 22, 2020
  2. State of Connecticut Department of Transportation Comments, dated June 23, 2020
- E. Telecommunications Carrier comments
1. T-Mobile comments, dated July 16, 2020
-

II. Appearance by Applicants

Applicants: Homeland Towers, LLC & New Cingular Wireless PCS, LLC, d/b/a AT&T (ATTHT)

Representatives: Lucia Chiocchio, Esq.  
Cuddy & Feder, LLP

A. Administrative Notice.

1. **PETITION NO. 1010** - New Cingular Wireless PCS, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of an concealed tower on a water tank and associated equipment at a water treatment water plant located at 455 Valley Road, Greenwich, Connecticut. Record and Final Decision, *available at* [https://portal.ct.gov/CSC/3\\_Petitions/Petition-Nos-0001-1219/Petition-No-1010---ATTGreenwich](https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-0001-1219/Petition-No-1010---ATTGreenwich)
2. **DOCKET NO. 427** – American Towers LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at one of two sites: 171 Short Beach Road, Branford, Connecticut. Record and Final Decision, *available at* [https://portal.ct.gov/CSC/1\\_Applications-and-Other-Pending-Matters/Applications/3\\_DocketNos400s/Docket-No-427--East-HavenBranford](https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-427--East-HavenBranford)

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T received February 28, 2020, and attachments and bulk file exhibits including:

Bulk file exhibits:

- a. Kent Connecticut 2012 Plan of Conservation and Development
  - b. Zoning Regulations, Town of Kent, Connecticut, Adopted 1965, effective December 30, 2019
  - c. Zoning Map, Town of Kent, Connecticut, effective July 1, 2018
  - d. Inland Wetlands and Watercourses Regulations, Town of Kent, Connecticut, originally adopted July 1, 1988, revised effective date March 15, 2019
  - e. Technical Report
2. Applicants' Responses to Council Interrogatories, Set One, dated April 17, 2020
  3. Protective Order related to unredacted lease agreement, signed April 23, 2020
  4. Applicants' Responses to Bald Hill Road Neighbors' Interrogatories, Set One, dated May 15, 2020
  5. Applicants' Responses to Planned Development Alliance of Northwest Connecticut, Inc., Interrogatories Set One, dated May 15, 2020
  6. Applicants' Supplemental Submission, dated July 16, 2020
  7. Applicants' Responses to Council Interrogatories, Set Two, dated July 16, 2020
  8. Applicants' Responses to the Town of Kent Interrogatories, Set One, dated July 16, 2020

9. Applicants' Responses to the Bald Hill Road Neighbors' Interrogatories, Set Two, dated July 16, 2020
10. Applicants' Affidavit of Sign Posting, dated July 16, 2020

C. Swear Witnesses

1. Raymond Vergati, Regional Manager, Homeland Towers LLC
2. Manuel Vincente, President, Homeland Towers LLC
3. Harry Carey, External Affairs, AT&T
4. Robert Burns, P.E., Project Manager, All Points Technology Corp. P.C.
5. Michael Libertine, LEP, Director of Siting and Permitting, All Points Technology Corp. P.C.
6. Brian Gaudet, Project Manager, All Points Technology Corp. P.C.
7. Martin Lavin, Radio Frequency Engineer, C<sup>2</sup> Systems on behalf of AT&T
8. Dan Stebbins, AT&T FirstNet Solutions Consultant

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Planned Development Alliance of Northwest Connecticut, LLC (PDA)
3. Bald Hill Road Neighbors (BHRN)
4. Town of Kent

---

III. Appearance by Intervenor/CEPA Intervenor:	Planned Development Alliance of Northwest Connecticut, Inc. (PDA)
Representative:	Keith R. Ainsworth, Esq. Law Offices of Keith R. Ainsworth, Esq.

A. Administrative Notice.

1. **DOCKET NO. 347** - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 700 Kent Road, New Milford, Connecticut. Decision and Order *available at* [https://portal.ct.gov/-/media/CSC/1\\_Dockets-medialibrary/Docket\\_347/347CertPackpdf.pdf](https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/Docket_347/347CertPackpdf.pdf)
2. **DOCKET NO. 355** - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 Litchfield Road, New Milford, Connecticut. Decision and Order *available at* [https://portal.ct.gov/-/media/CSC/1\\_Dockets-medialibrary/Docket\\_355/355Certpdf.pdf](https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/Docket_355/355Certpdf.pdf)
3. PUBLIC LAW 109–338—OCT. 12, 2006 - §272 – National Heritage Area Act establishing the Upper Housatonic Valley National Heritage Area, *available at* <https://www.congress.gov/109/plaws/publ338/PLAW-109publ338.pdf>

4. Upper Housatonic Valley National Heritage Area 2013 Management Plan, *available at* [https://housatonicheritage.org/wpcontent/uploads/2019/10/UHVNHA\\_ManagementPlan\\_4.15.2014-B-web.pdf](https://housatonicheritage.org/wpcontent/uploads/2019/10/UHVNHA_ManagementPlan_4.15.2014-B-web.pdf)

B. Exhibits for Identification.

1. PDA Application to Intervene under CEPA §22a-19, §4-177a and §16-50n, dated March 3, 2020
2. PDA Responses to Council Interrogatories, Set One, dated May 11, 2020
3. PDA Pre-filed Testimony of Robert (Todd) Powell with attachments, dated July 16, 2020
4. PDA Pre-filed Testimony of Connie Manes, Kent Land Trust Letter to the Council, dated July 11, 2020
5. PDA Pre-filed Testimony of Connie Manes, Kent Land Trust, dated July 15, 2020
6. PDA Pre-filed Testimony and Affidavit of Paul Elconin, Director of Land Conservation, Northwest Connecticut Land Conservancy (f/k/a Weantinoge Heritage Land Trust), dated July 15, 2020
7. PDA Affidavit of David P. Maxson, WCP, Isotrope, LLC, dated July 15, 2020
8. PDA Pre-filed Testimony of David P. Maxson, WCP, Isotrope, LLC, Isotrope Coverage Analysis Attachment, dated July 16, 2020

C. Swear Witnesses

1. Robert (Todd) Powell, PDA
2. Connie A. Manes, Kent Land Trust
3. Paul Elconin, Director of Land Conservation, Northwest Connecticut Land Conservancy (f/k/a Weantinoge Heritage Land Trust)
4. David P. Maxson, WCP, Isotrope, LLC

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Applicants
3. Bald Hill Road Neighbors
4. Town of Kent

---

IV. Appearance by Party:

Representatives:

Bald Hill Road Neighbors (BHRN)

Anthony F. DiPentima, Esq.  
Michael D. Rybak, Jr., Esq.  
Guion, Stevens & Rybak, LLP

A. Administrative Notice

B. Exhibits for Identification:

1. BHRN Request for Party/Intervenor and CEPA Intervenor Status, dated March 20, 2020
2. BHRN Request to Add a Party and CEPA Intervenor, dated April 2, 2020
3. BHRN Responses to Council Interrogatories, Set One, dated May 7, 2020
4. BHRN Responses to Applicants' Interrogatories, dated May 8, 2020
5. BHRN Pre-filed Testimony of Peter Fitzpatrick with attachments, dated July 16, 2020
6. BHRN Pre-filed Testimony of R. Bruce Hunter with attachments, dated July 16, 2020

C. Swear Witnesses

1. R. Bruce Hunter, MAI
2. Peter Fitzpatrick

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Applicants
3. Planned Development Alliance of Northwest CT, Inc. (PDA)
4. Town of Kent

---

V. Appearance by Party:

Town of Kent (Town)

Representatives:

Daniel E. Casagrande, Esq.  
Cramer & Anderson, LLP

Daniel S. Rosemark, Esq.  
Rosemark Law, LLC

A. Administrative Notice

1. **DOCKET NO. 467** - Homeland Towers, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Brookfield Tax Assessor Map E10, Lot 014, 100 Pocono Road, Brookfield, Connecticut. Record and Final Decision, *available at* [https://portal.ct.gov/CSC/1\\_Applications-and-Other-Pending-Matters/Applications/3\\_DocketNos400s/Docket-No-467--Brookfield](https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-467--Brookfield)
2. **DOCKET NO. 473** - Homeland Towers, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 515 Morehouse Road, Easton, Connecticut. Record and Final Decision, *available at* [https://portal.ct.gov/CSC/1\\_Applications-and-Other-Pending-Matters/Applications/3\\_DocketNos400s/Docket-No-473HomelandVerizonEaston](https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-473HomelandVerizonEaston)

B. Exhibits for Identification:

1. Town of Kent Request for Party and CEPA Intervenor Status, dated April 24, 2020
2. Town of Kent Pre-filed Testimony of Jean Conlon Speck, First Selectman, with attachments dated July 16, 2020
3. Town of Kent Pre-filed Testimony of Matthew Winter, Chairman, Planning & Zoning Commission, dated July 16, 2020
4. Town of Kent Pre-filed Testimony of Connie A. Manes, Chair, Kent Conservation Commission, dated July 16, 2020

C. Swear Witnesses

1. Jean Conlon Speck, First Selectman, Town of Kent
2. Matthew Winter, Chairman, Planning & Zoning Commission
3. Connie A. Manes, Chair, Kent Conservation Commission

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Applicants
3. Planned Development Alliance of Northwest CT, Inc. (PDA)
4. Bald Hill Road Neighbors

---

VI. Continuation by Connecticut Siting Council.